

10905 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:17-cv-00329-D

ADAN LOPEZ, FRANCISCO MENDEZ,)
EZEQUIEL ABURTO-HERNANDEZ,)
ELENA RAFAEL-PERALTA, JOSE)
PABLO SANDOVAL-MONTALVO, and)
JOSE JIMENEZ-OLIVAREZ,)
ALEJANDRO MARTINEZ-MENDEZ, on)
behalf of themselves and other similarly)
situated persons,)

Plaintiffs,)

v.)

HAM FARMS, LLC f/k/a HAM FARMS,)
INC., HAM PRODUCE, LLC f/k/a HAM)
PRODUCE COMPANY, INC., ISMAEL)
PACHECO, PACHECO)
CONTRACTORS, INC., HUGO)
MARTINEZ, GUTIERREZ)
HARVESTINGS, LLC, ROBERTO)
TORRES-LOPEZ, 5 G HARVESTING,)
LLC, RODRIGO GUTIERREZ-TAPIA,)
SR., and CIRILA GARCIA-PINEDA,)

Defendants.)

CONSENT ORDER SETTING ASIDE
ENTRY OF DEFAULT FOR DEFENDANT
HUGO MARTINEZ

WHEREAS, on December 22, 2017, the Clerk granted Entry of Default against Defendant Hugo Martinez ("Defendant Martinez") in this matter;

WHEREAS, on February 8, 2018, Defendant Martinez filed a Motion to Set Aside Entry of Default supported by Memorandum of Law and the Affidavit of Hugo Martinez arguing that, pursuant to Rule 55(c) of the Federal Rules of Civil Procedure, the Entry of Default should be set aside for good cause shown;

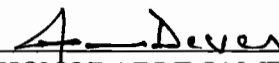
WHEREAS, Counsel for the Plaintiffs and Counsel for Defendant Martinez subsequently have conferred, and have agreed that the Entry of Default should be set aside for good cause shown.

WHEREAS, Plaintiffs and Defendant Martinez now jointly submit this Consent Order for approval by the Court.

IT APPEARING TO THE COURT, that the Entry of Default against Defendant Martinez should be set aside for good cause shown pursuant to consent of Plaintiff;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the Entry of Default against Defendant Hugo Martinez is hereby set aside, and he shall be permitted to serve an Answer or otherwise plead within thirty (30) days of entry of this Order.

SO ORDERED, this 21 day of February, 2018.


HONORABLE JAMES C. DEVER III
United States District Judge

The undersigned hereby apply for and consent to entry of this Order:

For Plaintiffs:

/s/ Robert J. Willis
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For Defendant Hugo Martinez

/s/ Elizabeth C. King
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